

Brett A. Scher
bscher@kaufmadolowich.com

Direct: 516.283.8705
Main: 516.681.1100
www.kaufmandolowich.com

December 20, 2024

VIA ECF

Hon. Gabriel Gorenstein
Thurgood Marshall United States Courthouse
40 Foley Square, Room 519
New York, NY 10007

Re: *Sai Malena Jimenez-Fogarty v. Thomas Fogarty, et al.*
Case No.: 24-cv-08705-JLR-GWG

Dear Judge Gorenstein:

Our firm represents defendants Lisa Zeiderman and Ashley Kersting (collectively the “Zeiderman Defendants”) with respect to the above-captioned action. We write in accordance with the Order of Reference dated December 19, 2024.

If Your Honor determines that a conference is warranted in this case (other than a conference to discuss the Zeiderman Defendants’ pending Motion to Dismiss the Complaint pursuant to Fed. R. Civ. Proc. 12(b)(1) and Fed. R. Civ. Proc. 12(b)(6) – *ECF Doc. No. 11* – or Plaintiffs’ intention to amend her complaint as set forth in her December 19, 2024 letter to the Court), we would request that such a conference be scheduled at a time when all defendants have been served and appeared in the action. Out of the seven named defendants (which include two sitting New York State Supreme Court Justices), only the Zeiderman Defendants and Thomas Fogarty have appeared in the case (and Plaintiff has not filed any affidavits of service confirming that any of the defendants have been properly served).

Respectfully submitted,

Kaufman Dolowich LLP

Brett A. Scher

cc: All appearing parties – *via ECF*